

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**JAMES E. DAVIS, INDIVIDUALLY AND
ON BEHALF OF ALL OTHERS SIMILARLY
SITUATED**

PLAINTIFFS

VS.

CAUSE NO. 3:11-CV-093-MPM-SAA

**ACA FINANCIAL GUARANTY
CORPORATION, and
JOHN DOES One through Ten**

DEFENDANTS

ORDER

On August 19, 2011, defendant ACA Financial Guaranty Corporation filed a motion to dismiss this case and to stay all class certification proceedings. Plaintiff responded to this motion by amending his complaint. Defendant has since filed a second motion to dismiss, and this court will therefore dismiss defendant's first motion to dismiss as moot.

It is therefore ordered that the motion to dismiss [6-1] is dismissed as moot.

SO ORDERED, this the 27th day of January, 2012.

/s/ MICHAEL P. MILLS
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI